

PROB 12B
(7/93)

United States District Court
for
District of New Jersey
Request for Modifying the Conditions or Term of Supervision
with Consent of the Offender
(Probation Form 49, Waiver of Hearing is Attached)

Name of Offender: James Tyler a.k.a.: Patrick Coleman

Cr.: 03CR603-001
PACTS Number: 37106

Name of Sentencing Judicial Officer: The Honorable Stanley R. Chesler

Date of Original Sentence: 8/2/2004

Original Offense: Possession of a Firearm by a Convicted Felon

Original Sentence: 46 months imprisonment: 3 years supervised release

Date of Violation Sentence: 7/22/2009

Violation Offenses: Failure to Notify of a Change of Address (absconding), Failure to Appear for Drug Testing, Failure to Report as Directed (absconding).

Violation Sentence: Time Served in custody(1 month), followed by 2 years supervised release, with special conditions to seek and maintain employment, and all other conditions as originally imposed on 8/6/2004; drug testing and treatment, financial disclosure, and to pay a \$100 Special Assessment and a \$2,000 fine.

Type of Supervision: Supervised Release

Date Supervision Commenced: 11/14/2006

PETITIONING THE COURT

- ☐ To extend the term of supervision for Years, for a total term of Years.
☒ To modify the conditions of supervision as follows. The addition of the following special condition(s):

The defendant shall reside for a period of three (3) months in a community corrections center, halfway house or similar residential facility and shall observe all the rules of that facility. The defendant shall not be eligible for weekend privileges. The defendant shall pay subsistence as required by the program.

The defendant shall refrain from the illegal possession and/or use of drugs and shall submit to urinalysis or other forms of testing to ensure compliance. It is further ordered that the defendant shall submit to drug treatment, on an outpatient or inpatient basis, as directed by the U.S. Probation Office. The defendant shall abide by the rules of any program and shall remain in treatment until satisfactorily discharged with the approval of the U.S. Probation Office.

CAUSE

The offender's supervision was transferred subsequent to the violation hearing on July 22, 2009, to the Eastern District of Pennsylvania (ED/PA) and has been supervised there since that time. On December 9, 2009, our office received correspondence from the probation office in ED/PA indicating that the offender has had several instances of noncompliance since July 22, 2009. (continued next page)

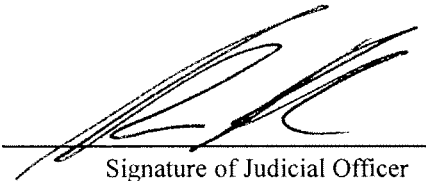
Specifically, the offender has failed to notify the probation office of a change in his phone number within the time frame required. Also the offender has failed to report on time for an appointment on November 13, 2009, with the employment workshop seminar, which is run by the ED/PA probation office. The offender arrived at 10:30am for a 10:00am appointment, thus causing him to be unable to participate in the seminar. He has also missed appointments for this workshop on November 25, 2009, and November 30, 2009. Also on November 13, 2009, the offender submitted a urine sample which tested **positive** for marijuana. To date, the offender has neglected to secure employment, nor return his completed job search forms to the ED/PA probation office as instructed. The offender has also failed to make any payments toward his fine. The balance remains \$2,000.

Respectfully submitted,

By: Steven Alfrey
U.S. Probation Officer
Date: 12/14/09

THE COURT ORDERS:

- ☒ The Modification of Conditions as Noted Above
☐ The Extension of Supervision as Noted Above
☐ No Action
☐ Other


Signature of Judicial Officer


Date

PROB 49
(3/89)

United States District Court

____ District of New Jersey _____

Waiver of Hearing to Modify Conditions of Probation/Supervised Release or Extend Term of Supervision

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.

I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

The defendant shall reside in a Residential Reentry Center for a term of 90 days, effective immediately upon availability, as directed by the U.S. Probation Officer.

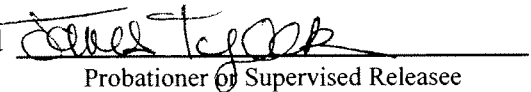
The defendant shall refrain from the illegal possession and/or use of drugs and shall submit to urinalysis or other forms of testing to ensure compliance. The defendant shall submit to drug treatment, on an outpatient or inpatient basis, if directed by the U.S. Probation Office. The defendant shall abide by the rules of any program and shall remain in treatment until satisfactorily discharged with the approval of the U.S. Probation Office.

Witness



U.S. Probation Officer

Signed



Probationer or Supervised Releasee

12/3/09
Date